

## HUMAN SERVICES DEPARTMENT[441]

### Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

This amendment provides for “continuous eligibility” for children under the age of 19 who are eligible for Medicaid under the Family Medical Assistance Program (FMAP), the Child Medical Assistance Program (CMAP), or the Mothers and Children (MAC) Program, as directed by 2008 Iowa Acts, House File 2539, section 3. Once the child is determined eligible for Medicaid under one of these coverage groups, the child’s eligibility will continue for up to 12 months without regard to changes in family income or household composition that might make the household ineligible for Medicaid. Eligibility may end before 12 months have elapsed due to the annual eligibility review or because the child reaches the age of 19.

This strategy is intended to promote continuity of health care coverage for children. Studies show that children with gaps in health care coverage have less access to services than do those with continuous coverage.

This amendment does not provide for waivers in specified situations because continued coverage is a benefit to the children affected. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

The Council on Human Services adopted this amendment June 11, 2008.

In compliance with Iowa Code section 17A.4(2), the Department finds that notice and public participation are unnecessary because 2008 Iowa Acts, House File 2539, section 3, requires the Department to make this change.

The Department finds that this amendment confers a benefit by supporting continuity of health care coverage for children. Therefore, this amendment is filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of this amendment is waived.

This amendment is also published herein under Notice of Intended Action as **ARC 6886B** to allow for public comment.

This amendment is intended to implement Iowa Code Supplement section 249A.3 as amended by 2008 Iowa Acts, House File 2539.

This amendment became effective July 1, 2008.

The following amendment is adopted.

Adopt the following **new** subrule 75.54(4):

**75.54(4)** *Continuous eligibility for children.*

*a.* A child under the age of 19 who is determined eligible for ongoing Medicaid under subrule 75.1(14), 75.1(15), or 75.1(28) shall retain that eligibility regardless of changes in family income or household composition until the earliest of the following dates:

(1) Twelve months after the month when the department received the household’s latest application or review form;

(2) The month of the household’s annual eligibility review; or

(3) The month when the child reaches age 19.

*b.* Children entering an existing Medicaid household shall be assigned the same annual eligibility review date as that established for the household.

[Filed Emergency 6/11/08, effective 7/1/08]

[Published 7/2/08]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/2/08.